

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

JOSEPH GLEN STRAWN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-21-243-J
)	
STEPHENS COUNTY COURT,)	
)	
Respondent.)	

ORDER

Petitioner, a state prisoner appearing pro se, filed a petition for writ of habeas corpus under 28 U.S.C. § 2254 [Doc. No. 1]. The matter was referred for initial proceedings to United States Magistrate Judge Amanda Maxfield Green consistent with 28 U.S.C. § 626(b)(1)(B), (C). On screening, Judge Green recommended that Petitioner’s Grounds One, Two, and Four be dismissed for failure to exhaust state court remedies and Ground Three be dismissed as relief was unavailable under § 2254. [Doc. No. 5]. Despite being cautioned that he must file any objection no later than April 21, 2021, *see id.*, Petitioner did not object and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Cassanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 5] and DISMISSES the Petition [Doc. No. 1]. The Court also DENIES Petitioner’s application for leave to proceed in forma pauperis [Doc. No. 2] and motion for order [Doc. No. 6] as moot. Finally, a certificate of appealability is DENIED, as the Court concludes Petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

A separate judgment will follow.

IT IS SO ORDERED this 4th day of May, 2021.

A handwritten signature in blue ink, appearing to read "B.M.J.", is written above a horizontal line.

BERNARD M. JONES
UNITED STATES DISTRICT JUDGE